Confidential

30

1949

CONFIDENTIAL
File No. 30/48 IV

P.W DEPARTMENT
C(5) BRANCH

B CLASS

Subject:— Departmental Action against Subordinates in the P.W.D. for taking part in the R.S.S. activities.

(Mr. S.K. Kabe, Sr. Accounts Clerk)

B(4)

File No. 30/48 IV

G. R., G.-D., No. 2408, dated 22-6-22.] Std. Sectt. 78 a.

DOCKET SHEET

Subject:—

File No. 3048-IV

P.W. DEPT.

E BRANCH. (II)

References:—

Notes Section.

Date.	To whom sent.	Notes and instructions.

30/48/65659

P.W.D.

E.B.(II).

The S.E.,K.I.C., has forwarded the Report of the Enquiry Committee constituted to investigate into certain charges framed against Mr.S.K.Kabe, Senior Accounts clerk in his Circle. The S.E. in agreeing with the report that there not being sufficient ground to prove the charges, requests Govt.to issue orders reinstating Mr.Kabe. The facts of the case are as stated below.

2. Mr.Kabe,clerk in the office of the S.E.,K.I.C., was detained with effect from the 23-9-48 under the orders of the D.M.,Belgaum, under the Public Security Measures Act,1947. The detention of Mr.Kabe was based on the following grounds :-

1) That Mr.Kabe was an important member and office bearer of the R.S.S. organization of the Belgaum Dist. which had been declared as unlawful by Govt.

2) That the clerk attended the meeting of the R.S.S. workers held on the night of 18-8-48 at Shahapur when matters reg: collection of ~~xxxxx~~ funds for the said organization were considered.

3. While under detention Mr.Kabe represented thro' the Supdt.,Central Prison, and the S.E.,K.I.C., that he was in no way connected with the R.S.S. activities and should be released immediately. To this the D.M., Belgaum, replied that further inquiries had revealed that Mr.Kabe did take part in the activities of the R.S.S. at Belgaum and Shahpur in June & Aug.1948. Thereupon Mr.Kabe submitted a Habeas Corpus application to the High Court,Bombay, against the detention order. This application was summarily rejected by High Court. As Mr.Kabe remained under detention he was suspended from 23-9-48, the date of his detention. Mr.Kabe was subsequently released on 2-3-49

unconditionally without being tried in the Court of Law.

4. The S.E. also framed a charge sheet against the clerk detailing the charges against him and asked him to show reasons why he should not be dismissed from Govt. service for contravening rule 30(1)(i) of the B.C.S. Discipline Conduct and Appeal Rules. In accordance with the G.C.M.,P.& S.D., No.1581/34, dated 4-6-48, the S.E. also constituted a committee to inquire into the charges and to see if any disciplinary action could be taken against him. Mr.Kabe was asked to submit his written statement to be placed before the Committee at its meeting on 29-4-49. The D.S.P.,Belgaum, was also asked to produce proof and evidence, if any, as required by Govt. in G.C.M., P.& S.D.,No.1581/34, dated 4-6-48, that he had attended certain meetings prior to his detention on 23-9-48. Mr.Kabe in his written statement has denied all the charges. No representative of the police attended the meeting.The D.S.P. and D.M.,Belgaum, have maintained that the rejection by the High Court of the Habeas Corpus application was sufficient proof that Mr.Kabe was acting in a prejudicial manner. The D.S.P.,Belgaum, also considered it undesirable to produce certain documents before an open Enquiry Committee as the same were of a confidential nature. In his letter to the S.E.,K.I.C., the D.S.P. states that he cannot produce the evidence asked for. The Dist. Pleader, however, states that the mere fact that the application was rejected only implies that the D.M. was competent to issue the detention orders. This point will however have to be clarified in consultation with the R.L.A.

5. It is also for consideration whether the D.S.P., Belgaum, may be asked to furnish Govt.with the documents of confdl.nature which he did not like producing before the enquiry committee. The H.D. may be requested u.o. to advise.

6. The question whether Mr.Kabe should be reinstated

will---

30/48/65659.

will be taken hereafter on receipt of orders on the above points.

VPA.
12/10/49

12-10-49

H.D may see U.O. for advice

13/10/49

D.S.

Secy. 1)
Contd
U.O. & HD dt. 14-10-49

13.10.49

U.O.

HOME DEPT. (SPECIAL)
File No. PWD 30/48-IV
Date 15/XI/49
Serial No. 22468

Home Deptt (Spl) (3).

Please see the foregoing P.W.D. note.

2. The P.W.D. wants this Deptt's advice whether the D.S.P., Belgaum, should be asked to furnish Govt. with the documents of confidential nature pertaining to Mr. Kabe which he did not like producing before the Enquiry Committe.

It seems desirable that we

Should ask the D.S.P., Belgaum, to forward the documents to this Deptt. in the first instance and also ask him to offer his remarks as to why he considered it undesirable to produce the documents before the Enquiry Committee.

BC
19/10/49

Secy.

Home Deptt(Spl)(3).

Submitted with refce. to our letter No. S.D.III/P.W.D. 30/48-IV/22408, of the 25/10/49.

2. In view of the D.M. and D.S.P., Belgaum's reports, further communication in this matter may be awaited.

BC
22/11/49

Asstt. Secy.

H.D.(Special)(3).

Submitted with reference to our letter No.S.D.III/-P.W.D.30/48-IV/22408, dated the 25-10-49 and the notes underlying it.

2. The D.M., Belgaum, has forwarded the D.S.P., Belgaum's report and the case papers pertaining to Mr. Kabbe's detention. The D.S.P. in his report says that the only document which was not supplied to the Inquiry Committee was the report of the Dy.S.P., Belgaum, as it was a confidential report and the Dy. Supdt. of Police, Belgaum, who had initiated Mr.Kabbe's case was against its production in the open inquiry committee.

The D.M. has stated in his letter that the grounds for the detention of Mr. Kabbe were based on the confidential report of the Dy.S.P. (security) C.I.D., Belgaum, and the evidence of a few witnesses produced by him and that beyond this there is no other documentary evidence available with him or with D.S.P. to prove the alleged participation of Mr. Kabbe in the R.S.S. activities. It is clear from the D.M.'s letter that the main evidence that has weighed with the D.M. in detaining Mr. Kabbe is that of one Mr. P.D.Joshi. The D.M. has stated in his letter that a copy of Mr. P.D.Joshi's statement has already been furnished by the D.S.P. to the Superintending Engineer, K.I.C., Dharwar. The D.M. has however not offered any remarks whether the action of the D.S.P. in refusing to furnish the Dy.S.P.Belgaum report to the Inquiry Committee was justified or not.

It may be stated in this connection that the Dy.S.P., Belgaum's report has been based mainly on the statement made by Mr. P.D.Joshi and as Mr. Joshi's statement was made available to the Inquiry Committee, there was no point in withholding the Dy.S.P.'s report. Besides, the Inquiry Committee consisted of responsible P.W.D. officers and the D.S.P. could have requested the Committee to treat the Dy.S.P.'s report as confidertial.

The Committee has already arrived at the conclusion that the allegation that Mr. Kabbe took part in the R.S.S. activities in June and in August 1948 cannot be substantiated and it is hardly likely that the Dy.S.P.'s report, which is practically based on the statement made by Mr. P.D.Joshi, would establish Mr. Kabbe's participation in R.S.S. activities as required by the Inquiry Committee. We may, however, forward a copy of the Dy.S.P.'s report to the P.W.D. to enable it to decide Mr. Kabbe's case.

The papers may be returned to the P.W.D. with a copy of the Dy.S.P.'s report. The papers forwarded by the D.M. may be returned to him with an intimation that the P.W.D. has been supplied with a copy of the Dy.S.P.'s report.

10/12/48

Secy.

10/12

Work to the P.W.D. & the 12/12/48

30/48 IV

84750

It may be stated in this connection that the Dy.S.P., Belgaum's report has been based mainly on the statement made by Mr. P.D.Joshi and as Mr. Joshi's statement was made available to the Inquiry Committee, there was no point in withholding the Dy.S.P.'s report. Besides, the Inquiry Committee consisted of responsible P.W.D. officers and the D.S.P. could have requested the Committee to treat the Dy.S.P.'s report as confidential.

The Committee has already arrived at the conclusion that the allegation that Mr. Kabbe took part in the R.S.S. activities in June and in August 1948 cannot be substantiated and it is hardly likely that the Dy.S.P.'s report, which is practically based on the statement made by Mr. P.D.Joshi, would establish Mr. Kabbe's participation in R.S.S. activities as required by the Inquiry Committee. We may, however, forward a copy of the Dy.S.P.'s report to the P.W.D. to enable it to decide Mr. Kabbe's case.

The papers may be returned to the P.W.D. with a copy of the Dy.S.P.'s report. The papers forwarded by the D.M. may be returned to him with an intimation that the P.W.D. has been supplied with a copy of the Dy.S.P.'s report.

HC
10/12/48

Secy.

10/12

Letter to the P.W.D. dt. 12/12/48

30/48 IV

84750

30/48/84750

P.W.D.

E.B.(II).

PP 1-3

Submitted with ref. to this Deptt. u.o.r. dated the 14-10-49.

2. The papers xx were refd.u.o. to the H.D. with a request to obtain and furnish this Deptt. with the documents of confidential nature which the D.S.P., Belgaum, did not wish to produce before the Departmental Enquiry Committee constituted in accordance with G.C.M.,P.& S.D.,No.1581/34, dated the 4-6-48.

xF1. A
for 6177/36-II
P 15

3. Mr. Kabe was detained under orders from the D.M.,Belgaum, from the 23-9-48 and was released unconditionally on the 2-3-49 without being tried in the Court of Law. A charge sheet was also framed against Mr.Kabe and he was asked to show reasons why he should not be dismissed from Govt.service for contravening rule 30(1)(i) of the Bombay Civil Services Discipline, Conduct and Appeal Rules which prohibits Govt. servants from taking part in,subscribing in aid of or assisting, ~~to~~ from any way in any political movement in India and Mr.Kabe was asked to explain his conduct. The Departmental Enquiry Committee which investigated the case has come to the conclusion that there is no proof to show that Mr.Kabe was taking part in the R.S.S.activities. No representative of the police attended the meeting. The D.S.P.,Belgaum, had earlier informed the Committee that he considered it undesirable to produce certain documents before an open Enquiry Committee. In the absence of any concrete evidence the Enquiry Committee has recommended that Mr.Kabe should be reinstated and a watch kept over his movements. The S.E. has agreed with the Enquiry Committee's findings and requests Govt. to issue orders accordingly.

3. Before deciding the question whether Mr.Kabe

Kabe should be reinstated, it was necy. to know what the confidential documents were, which the D.S.P.,Belgaum did not produce ~~before~~ before the Enquiry Committee. The H.D. has now forwarded a copy of the Dy.S.P's letter at p.21 c/s ~~corresponding section~~ which was not produced before the Enquiry Committee. The H.D.states that Mr.Kabe's detention was based by the D.M.,Belgaum, on the Dy. S.P's letter refd.to above and that there was no documentary evidence with him or with the D.S.P. to prove the allegation. The H.D. further adds that the Dy.S.P's letter was based on the statement of one Mr.P.D.Joshi, a copy of which was forwarded to the Enquiry Committee. As the Dy.S.P's letter is based merely on the statement of one Mr.P.D.Joshi, the letter does not in any way go to prove that Mr.Kabe participated in R.S.S. activities. There is also no other evidence to show that ~~the~~ he took part in the R.S.S. activities.

4. In the circumstances stated above Mr.Kabe may be reinstated in service and he may also be allowed the benefits under rule 152(a) of the B.C.S.Rs. Manual, Vol.I. This means that Mr.Kabe will have to be paid full pay and allowances for the period of suspension. As the period exceeds 6 months permission of Govt.to grant him full pay and allowances for that period is necy. in accordance with rule 154 of the B.C.S.Rs.Manual,Vol.I.

5. If action as proposed in para.4 above is to be taken the P.& S.D. and the F.D. may see the pps.u.o. before issue of orders.

VPA.

21-12-49.

As in para 4 of the O.N. 9 Tentk

21/12/49

Reinstatement with full pay for the period of suspension has to be ordered in second

30/48/84750.

cases of detention, almost true
of Govt. servants for RSS activities
down in this case too. It may be

Yrs
[illegible]

No. 6 P&SD&FD - dt the 23-12-49.

[illegible]

P. 8 ends

Please see the report of the enquiry committee at pp 7-17 on the correspondence side. The D.S.P at the D.H. Bilgram seems to have been emphatic that Kabir was actually associated with the RSS & they were really convinced that Kabir was actually associated with the RSS work - would have been enough & it was not. In answering the charge the charge to Kabir by adducing any further evidence. However, it appears from the note dt. the 10.12.49 that the D.S.P has based his charge on a statement made

HOME AFFAIRS SERVICES
DEPARTMENT
No. PHD 30/48
26 JUL 1949
Serial No. 26007
9476

by one Mr Tomi and to no further evidence to establish Mr Kabo is associated with MNS PS says may not - Mr Soufou visited one Mr Kabo dismissed and may agree to his reinstatement. | A

As regard payment to Mr Kabo for the period of suspension. It is not that all persons who are acquitted of the charge of association with MNS are given full pay on reinstatement. Whether or not full pay should be given depends on the degree of acquittal. There are instances in which persons who were acquitted were not paid anything by way of subsistence allowance. So far as the present case is concerned. It is established that Mr Kabo was associated with MNS up to 1966. Because of this the possibility that Mr Kabo continued his association after that period cannot be ruled out. Although it cannot be established. Because of this and in view of A' of the Commissioner's report PS says may suggest that Mr Kabo should not be paid anything by way of subsistence allowance already paid to him | B

@ eg. the case of a clerk from the office of the DIC

As at 'A' & 'B' above. DS

5-6

Khan
30.12.69

4/1/70 30/12/69 In view of the findings of the Commissioner Mr Kabo should be reinstated and the period from 31/1 to should be given full pay (free from any

11 Finance Deptt
Chr.

Seen and returned no. SP 4858 with an expression of concurrence in the P&SP view.

SJJ
24.1.50

DTD
25/1

P. W. D.
File No. 30/48 IV

7297

How to proceed dt 25/1/50.

P.W.D.

E.B.(II).

The P.&S.D. and the F.D. having agreed to the reinstatement of Mr. Kale and to the payment of full pay and allowances while under suspension, the draft put up may issue, if approved.

1-2-50.

Kvdt 1/2/50

E.S.

30/48/8279.

17

P. W. D.

E. B. (II).

Govt. orders on the communications refd. to by the S.E. in his letter at p.29 c/s have since been issued - vide G.L. at p.27 c/s.

Record.

3-2-50.

31/1/50.

S. A. S.

13 30/48/55100

P. W. D.

F. Br.

The presumption made by the S.E., Karnatak I.C., in his letter at p.31 c/s may be confirmed after u.c.r. to the F.D.

12-6-52.

D.S.

u.o. as noted in the F.D. dated the 16-6-52 issue w.o.

12/3

Finance deptt.

Submitted with reference to the office note at p11 ante dated 21-1-52.

2. Please see the C.S's note at p10 ante dated 31.12.49. Since this case has been allowed full pay & allowances during the period of his suspension, his case can be treated to have been covered by B.S.R. 152(a). The proposal made by the PWD is reasonable & may be agreed to.

20-6-52

19.6.52

U.S.(S)

Ltr. to PWD dated 21.6.52

PWD

FINANCE AND SERVICES DEPARTMENT
PWD 30/48-IV
23 NOV 1957
2366

14

27.6.52

27/6 DS

Finance depttx

Submitted with reference to the office note overleaf.

2. These pp were intended to be returned to P.W.D. through P.&S.D. But they seem to have been referred to this deptt again through oversight. They may ∴ be returned to P.W.D.

2.6.52

20.6.52

A.S.(A)

P. W. D.
File No. 30/48
Serial No. 64,606

P.W.D.

F.B

The F.D. and the P.&S.D. having agreed, the draft put up may issue, if approved.

MP. 3734 c/s

11/7/52.

11.7.52

D.S.

G. R., G.-D., No. 2408, dated 22-6-22.]

Std. Sectt. 78 a.

DOCKET SHEET

Subject :—

File No. 30-8-IV.

P. W. DEPT.

E. BRANCH. (I)

References :—

Corres. Section.

Date.	To whom sent.	Notes and instructions.
25/11/50	cc to Regr	Pl return w/s to PWD
21/6/52	Regr (C.C.)	Pl return w/s to PWD through PWD

Originals on P. 179 of file No. 30/48-II.

Confidential. No.G-43/1

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
via Dharwar, 19th March 1949.

To

The Registrar of His Majesty's High Court of
Judicature, Appellate Side, Bombay.

Subject: Detention of Mr.S.K.Kabe, Senior Accounts Clerk.

Mr.S.K.Kabe, a Senior Accounts Clerk in this office, was detained with effect from the 23rd September 1948 by an order of the District Magistrate, Belgaum's No.PSM dated the 13th September 1948 under the Public Security Measures Act, the main charge being that he was an important person of the R.S.S.S. and attended certain meetings of that body in June and August 1948. Though Mr.Kabe represented that he was not connected with the activities of the R.S.S.S. in any way and that he did not attend any of the meetings of that body, the detention order was not withdrawn. It is understood that Mr.Kabe, thereupon, filed by the end of November 1948 an application for Habeas Corpus.

2. In one of the references received from the District Superintendent of Police, Belgaum, on this subject, he has stated that the appeal by Mr.Kabe was not allowed by the High Court.

3. I request you to please supply this office with copies of the application by Mr.S.K.Kabe and the judgment in this connection. These papers are required by this office in connection with a departmental enquiry. The points on which information is particularly needed are -

1) Whether the High Court only dismissed an appeal for Habeas Corpus,

or 2) Whether the High Court considered it proved that Mr.Kabe took part in R.S.S. activities.

Early clarification is requested.

Sd. N. S. Joshi,
Superintending Engineer,
Karnatak Irrigation Circle.

Copy forwarded with compliments to ---

the District Magistrate, Belgaum, for favour of clarification,

the District Superintendent of Police, Belgaum, for favour of clarification,

the District Judge, Belgaum, for favour of clarification if his office is kept informed in the matter.

Copies forwarded with compliments to the Secretary to Government, P.W.D., Bombay, for favour of information.

VPA
11/10/49

CONFIDENTIAL
No. G-43

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 22nd Sept.1949.

To

The District Superintendent of Police,
Belgaum District,
BELGAUM.

Subject: Detention of Mr. S.K.Kabe, Senior Accounts Clerk.

Reference: Your letter No.D/14/2/RSSS/573, dated the 25th April 1949 addressed to the Executive Engineer, Irrigation Projects Division(South) & President, Departmental Enquiry Committee.

2. The Executive Engineer, Irrigation Projects Division (South) & President, Departmental Enquiry Committee requested you in his letter No.C-11/119, dated the 18th April 1949, to depute your representative to attend the meeting and to produce proof and evidence, if any, against Mr. S.K.Kabe, to show that Mr. Kabe had any connection with the R.S.S.S. after it was banned by Government. You, however, informed in your letter mentioned above, that the High Court had rejected the Habeas Corpus application made by Mr. Kabe and hence the validity of evidence was proved and you did not consider it desirable to produce the documents before the Committee.

3. It is, however, ascertained from the Government Pleader, Belgaum, by the President, Departmental Enquiry Committee, that rejection of the Habeas Corpus application of Mr. Kabe by the High Court means that the District Magistrate was within his rights in issuing detention order against Mr. Kabe and proof is necessary to establish guilt. Departmental action against such persons is to be taken when the police authorities produce some concrete evidence according to Government orders.

4. After going through the evidences against Mr. S.K. Kabe, available from sources others than the Police, the Departmental Enquiry Committee have come to the conclusion that the charges against Mr. Kabe of association with the R.S.S.S. after Government ban was imposed, can not be proved and has recommended reinstatement of Mr. Kabe in Government service. If the Police Authorities are not in a position to produce concrete evidences against Mr. S.K.Kabe, which could stand scrutiny and cross examination by Mr. Kabe, the findings of the Committee will be accepted.

Kh 26/9/49

5. A very early reply in the matter is requested.

D.A: nil

Superintending Engineer, K.I.C.

Copy forwarded with compliments to the District Magistrate, Belgaum for information with reference to this office No.G-43/1 dated the 23rd April 1949.

Copy forwarded with compliments to the Secretary to Government, P.W.D., Bombay, for information in continuation of this office No.G-43/1 dated the 19th March 1949.

X P1

30/48/62706. 4

P.W.D.

E.B.(II).

Further development in the matter may be awaited.

28/9/49.

28/9/49

P. W. D.
File No. 30/48-IV
Serial No. 62706

5

Copy of Confidential letter No.B/14/2/RSSS/1214 dated 25-9-1949 from the Dist. Supdt.of Police, Belgaum addressed to this office.

" Subject: Detention of Mr.S.K.Kabe, S.A.C.

Reference: Your No.G-43 dated 22-9-1949.

The available facts were already placed before you and the Police cannot produce the evidence you ask for. Whether the case deserves re-instatement or otherwise is for you to consider. You may dispose of the case as you deem fit. "

----o----

True copy.

Hemayyani
Head Clerk to
Superintending Engineer,K.I.C.

True copy
BR/

REPORT OF THE DEPARTMENTAL ENQUIRY COMMITTEE CONSTITUTED TO ENQUIRE INTO THE ALLEGED CONNECTION OF MR. S. K. KABE, CLERK, WITH R.S.S. ACTIVITIES.

----ooOoo----

A. HISTORY OF THE CASE :

1. Mr. S. K. Kabe, a resident of Shahapur (Belgaum) first joined the Public Works Department, as a Clerk, in June 1939. Later on, he served in the Irrigation Projects Division (South), Belgaum, for about 4 years until his transfer to the office of the Superintending Engineer, Karnatak Irrigation Circle, Dharwar in July 1948.

2. While serving in the Superintending Engineer, Karnatak Irrigation Circle's Office at Dharwar, the District -- Magistrate, Belgaum, issued an order of detention (sheets 8-10) against the clerk under the Public Security Measures Act of 1947, the charge against him being that "he was acting or was likely to act in a manner prejudicial to the Public Safety and the maintenance of Public Order in -- Shahapur Town and Belgaum City". This charge was based on the following grounds :-

(i) that Mr. S. K. Kabe was an important member and office-bearer of the R.S.S. organization of the Belgaum District, which had been declared as - unlawful by the Government.

(ii) that the clerk attended a meeting of the R.S.S. workers held on the night of 18th August 1948 at Shahapur, when matters regarding collection of funds for the said organization were considered.

3. The clerk was detained on 23.9.1948 as per the above mentioned order, and was subsequently released unconditionally on 2.3.1949.

4. The clerk submitted a petition (Sheet 3) dated 25th September 1949 to the District Magistrate, Belgaum, through the Superintendent, Central Prison, Hindalga, and the Superintending Engineer, Karnatak Irrigation Circle, Dharwar, stating therein that he was not connected with any of the political bodies including the R.S.S., and, therefore, he be released immediately. To this the District Magistrate, Belgaum, under his No.PSM/D/57, dated the 3rd November 1948 (Sheet 17), replied that enquiries showed that Mr. Kabe did take part in the activities of the R.S.S. at Belgaum and Shahapur in June and August 1948, and, therefore, there being sufficient grounds for his detention he could not be released.

5. Later on in November 1948, Mr. Kabe submitted a Habeas Corpus application (Sheets 50-51) to the High Court of Bombay, against the detention order issued by the District Magistrate, Belgaum, denying all the charges made against him. This application was summarily rejected by the High Court (Sheet 51).

6. As Mr. Kabe was kept under detention under the order of the District Magistrate, Belgaum, the Superintendin Engineer, Karnatak Irrigation Circle, Dharwar, below his office order No.G-43, dated 22nd November 1948, suspended him, with effect from 23.9.1948 the date of his detention, as required by rules.

7. Further, the Superintending Engineer, Karnatak Irrigation Circle, framed a charge sheet against the clerk (please vide his No.G-43 of 4.1.1949) (Sheet 39), detailing therein, the charges against him and asking him to show reasons why he should not be dismissed from Government service for contravening Rule 30 (1) (i) of the Bombay

Civil ....

Civil Services Conduct, Discipline and Appeal Rules. To this, the clerk replied (Sheets 40-41) that the allegations made by the District Magistrate, Belgaum, and the District Superintendent of Police, Belgaum, were without any base and as such, he did not contravene any disciplinary rules, and, therefore, he was not liable to be dismissed.

8. As Mr. Kabe was released undonditionally on 2.3.1949 without being tried in a Court of Law and without being convicted, it was necessary to investigate into the charges against him by Departmental Enquiry, as per Government -- orders contained in G.R., Political & Services Department, No.1581/34, dated 4.6.1948, to see if any disciplinary action against him was necessary.

9. The Superintending Engineer, Karnatak Irrigation Circle, in his letter No.G-43, dated 17.3.1949 (Sheet 46), ordered that a Departmental Enquiry Committee consisting of the Executive Engineer, Irrigation Projects Dn. (South) as President, and the present S.D.O., Malaprabha Sub-Dn., and his predecessor, as members, be formed to enquire and "find out by Departmental Enquiry whether Mr. Kabe was or was not taking part in R.S.S. activities as alleged by the Police".

B. PROCEEDINGS OF THE ENQUIRY COMMITTEE

10. As per instructions of the Superintending Engineer, Karnatak Irrigation Circle (Sheet 46), an enquiry committee consisting of the following was formed (Sheet 57) :-

President.

Mr.D.B.Kankanwadi,
B.E.,B.S.E.(I), Executive Engineer, Irrigation Projects Division (South), Dharwar.

....

Members.

(1) Mr.M.S.Tatti,
B.E.,B.S.E.(II), Deputy Engineer,
Malaprabha Sub-Division,
Belgaum.

(2) Mr.D.A.Paranjpe,
B.E.,B.S.E.(II), Deputy Engineer,
Reconnaissance Irrigation
Projects Sub-Division,
Dharwar (formerly --
in-charge of Malaprabha Sub-Division).

11. A charge sheet (Sheet 56) containing the following charges and the grounds on which they were based was -- framed against Mr. Kabe, and he was asked to submit a -- written statement of his defence, before the committee at its first meeting on the 29th April 1949.

Charges.

(i) Mr. Kabe was a member of the R.S.S. a political organization banned by the Government of Bombay,

(ii) He attanded certain of its meetings before he was detained on 23.9.1948,

and (iii) That, by the above mentioned activities, he, as a Government servant, contravened Rule No. 30 (1) (i) of the Bombay Civil Services Conduct, Discipline and Appeal Rules.

Grounds on which the charges were based.

(1) Mr. Kabe was detained from 23.9.1948 to 2.3.1949 under the orders of the District Magistrate, Belgaum, dated 13.9.1948, under Section 2 (1) (a) of the Bombay Public Security Measures Act of 1947. The District Magistrate, Belgaum had issued the orders of his (Mr. Kabe's) detention after being satisfied that he had been acting and was likely to act in a manner prejudicial to Public Safety and Order in Shahapur Town and Belgaum City, for the following reasons :-

(a) He was an important member and office-bearer (Jilha-Upa-Karya-Waha) of the R.S.S organization of Belgaum

Dist....

District, which was banned by Government under their No.S.D. 386, dated 4.2.1948 published in the Bombay Government Gazette.

(b) He attended a meeting of the R.S.S. members held on the night of 18th August 1948 at the house of Mr.S.V. Kamat, an active R.S.S. member in Bichu Galli, Shahapur, where matters regarding collection of funds for the activities of the said organisation were considered.

(2) In reply to his representation dated 25/26.9.48, submitted to the District Magistrate, Belgaum, through the Superintending Engineer, Karnatak Irrigation Circl Dharwar, to release him, the District Magistrate, Belgaum, informed the Superintending Engineer, that further enquiry showed that he (Mr. Kabe) did take part in R.S.S. activities at Belgaum and Shahapur in June and August 1948, and therefore, he could not be released.

(3) He submitted an appeal against the orders of his detention issued by the District Magistrate, Belgaum, to the High Court of Bombay, who rejected his petition and thereby, upheld the orders of the District Magistrate.

12. The District Superintendent of Police, Belgaum, was requested (Sheet 60) to submit before the Enquiry -- Committee, at its first meeting on 29.4.1949, to produce, through his representatives, proof and evidence, if any, as required by Govt. Circular, Political & Services Department, No.1581/34, dated 4.6.1948, to show that Mr. Kabe was a member of the R.S.S. and that he had attended certain of its meetings prior to his detention on 23.9.1948.

13. The first meeting of the Departmental Enquiry -- Committee was held at Belgaum on 29.4.1949 (Sheet No.70). Mr. Kabe was present, but no representative of the Police

attended. But the District Superintendent of Police, Belgaum, had earlier informed the Committee (Sheet 64) that the rejection by the High Court of the Habeas Corpus application filed by Mr. Kabe was sufficient ~~for~~ to prove the validity of evidence against him and the soundness of the order of detention issued by the District Magistrate, Belgaum, and that he considered it undesirable to produce the documents before an open Enquiry Committee, as the same were of a confidential nature.

In his written statement (Sheets 65-69) in reply to the charge sheet, Mr. Kabe denied all charges against him, and maintained that the grounds on which they were based were not true.

In reply to the oral questions put by the Committee (29.4.1949), Mr. Kabe stated (Sheet 71) that:

(i) he was not a regular member of the R.S.S., but used to attend occasionally the games (such as Kho-Kho, Hututu, etc.) conducted by the organization at Shahapur.

(ii) he was attending such games on holidays or Sundays from beginning of 1942 to the middle of 1946 ~~in~~ once a month or so.

(iii) he left off attending such games after the middle of 1946, as he lost interest in them, and also, could not find time to do so.

(iv) he never acted as an office-bearer of that organization in any capacity on any occasion, nor was he a sympathiser of that organization.

(v) he did not attend any meeting of the R.S.S. either at Belgaum or at Shahapur, or anywhere else, on 18.8.1948, or prior to that.

(vi) he never paid nor collected any contributions, fees, donations, etc. for being allowed to take part in the games conducted by the R.S.S., or for any other purposes.

(vii) he joined Government service as Clerk in 1939, but he was taking part -- occasionally, in the games conducted

by ...

by the R.S.S., as a means of recreation, without being aware of what sort of organization the R.S.S. was.

14. After recording the oral statement of Mr. Kabe, the Committee decided (Sheet 70) that the opinion of the -- Government Pleader, Belgaum, as regards the exact interpretation of the order of rejection issued by the Bombay High Court on the Habeas Corpus appeal preferred by Mr. Kabe, should be called for and consider it in its next meeting.

15. Much stress was laid by the District Magistrate, Belgaum, and the District Superintendent of Police, Belgaum on the summary rejection of Mr. Kabe's Habeas Corpus - petition by the High Court. The former maintained (Sheet 62) that "... by summarily rejecting the petition, their Lordships concurred with the District Magistrate, that Mr. Kabe was acting in a prejudicial manner," and the latter, was of the opinion (Sheet 64) that "... Mr. Kabe moved the High Court under the Habeas Corpus Act, which was subsequently rejected. This shows the validity of the evidence against Mr. Kabe, and the soundness of the order of the District Magistrate."

All the facts of the case along with the case papers were sent to the District Government Pleader, Belgaum, (Sheet 72) and he was requested to offer his opinion, whether the rejection of the Habeas Corpus petition by the High Court meant that the evidence against Mr. Kabe could be taken as proved, as pointed out by both the - District Magistrate, Belgaum, and the District Superintendent, ~~Kxk~~ of Police, Belgaum, or it only meant that the District Magistrate, Belgaum, was within his rights, while issuing a detention order against Mr. Kabe, under Section 2 (1) (a) of the Bombay Public Security Measures Act.

16. In response to the above mentioned query, the District Government Pleader opined (Sheet No.75), that the summary rejection of the Habeas Corpus application by the High Court, only meant that the District Magistrate, Belgaum, was within his rights while issuing the detention order, and that the rejection, therefore, did not dispense with formal proof of the allegations made by the District Magistrate, Belgaum, against Mr. Kabe, and that the charges would have to be brought home to Mr. Kabe by legal proof in the enquiry.

17. The second meeting of the Committee was held at Dharwar on the 6th July 1949 (Sheet 77).

In view of the opinion offered by the District Government Pleader, Belgaum, to the effect that the charges ~~would have~~ were required to be brought home to Mr. Kabe by valid proof, but the Committee were not able to obtain such proof or evidence from the Police. The Committee, therefore, decided to see if such proof could be gathered from the members of the office staff, who knew Mr. Kabe, having had occasion to serve with him.

18. Subsequently, six members of the staff of the Irrigation Projects Division(South), who knew Mr. Kabe, were examined orally in this connection, and their statements ~~were~~ recorded (Sheets 79 to 84). All of them state that there was nothing in the manner and behaviour of Mr. Kabe to show that he was connected with the R.S.S. activities. Only one clerk states (Sheet 84) that he had once seen Mr. Kabe attending a public R.S.S. meeting held at Belgaum sometime during 1946.

19 ...

C. FINDINGS OF THE COMMITTEE :

19. The third meeting of the Committee was held at Dharwar on the 9th, 10th and 11th August 1949, and all the details of the case were considered fully. The points which show the alleged implications of Mr. Kabe with the local R.S.S. activities, and the findings of the Committee on each, are as follows :-

(i) One of the important charges mentioned by the District Magistrate, Belgaum in his order of detention, dated 13.9.1948 (Sheets 8-10), is that Mr. Kabe attended a meeting of the R.S.S. members held at Shahapur on the night of 18th August 1948. Mr. Kabe was transferred from Belgaum to the office of the Superintending Engineer, Karnatak Irrigation Circle at Dharwar, where he joined on 12th July 1948. The Superintending Engineer, Karnatak Irrigation Circle, has certified (Sheet 21) that Mr. Kabe was at ~~Shahapur~~ Dharwar on duty on the 18th (a working day) and for a few hours on the 19th August, which was a Public Holiday. Another clerk working in the same office, who was residing with Mr. Kabe in the same room, has testified (Sheet 24) that Mr. Kabe was at Dharwar on the night of 18th August 1948 and also on the following day. This -- documentary proof goes to show that it was physically impossible for Mr. Kabe to attend the meeting at Shahapur (Belgaum) on the night of 18th August 1948.

(ii) As regards the other main charge against Mr. Kabe to the effect that he was an important member and office-bearer of the R.S.S. organization of the Belgaum -- District, which is denied by Mr. Kabe, neither the Police, although asked for, produced any concrete proof in support of this allegation, nor the enquiries made by the --- Committee with the office colleagues of Mr. Kabe brought forth any tangible proof to incriminate Mr. Kabe. Under the circumstances, the Committee considers the charge, as

....

unproved.

(iii) The District Magistrate, Belgaum (Sheet 17) and the District Superintendent of Police, Belgaum -- (Sheet 64) have stressed that the High Court's summary rejection of Mr. Kabe's Habeas Corpus appeal is sufficient to prove the validity of the grounds on which Mr. Kabe was detained. But the District Government Pleader, Belgaum, whose opinion was obtained in this matter (Sheet 75), states that the rejection only means that the District Magistrate, Belgaum, was within his rights while issuing the detention order under the Public Security Measures Act, and that the rejection does not dispense with the formal proof of the allegations against Mr. Kabe. The Committee agrees with this view. As no evidence or proof, to bring home to Mr. Kabe the charges against him, came forth, the Committee considers the contention of both the District Magistrate, Belgaum and the District Superintendent of Police, Belgaum, as untenable.

(iv) The District Magistrate, Belgaum, in his reply (Sheet 17) to Mr. Kabe's petition for his release from detention, states that Mr. Kabe did take part in the R.S.S. activities at Belgaum in June and August 1948. As regards Mr. Kabe's activities during August 1948, the District Magistrate, Belgaum, probably means his alleged attendance at the R.S.S. meeting at Shahapur on the night of 18th August 1948. The findings of the Committee on this point have already been recorded in sub-para (i) above. During the month of June.1948, Mr. Kabe was still serving at Belgaum. But no evidence has come before the Committee to show that he did take part in the R.S.S. activities during that month as well. Hence the Committee considers that the allegations of the District Magistrate, Belgaum, that Mr. Kabe did take part in the R.S.S. --- activities in June and also in August 1948 are not cognisible

for ..

for want of proof.

(v) Mr. Kabe, in his written as well as the oral statements, denies all the allegations made against him by the District Magistrate, Belgaum. In his oral -- statement (Sheet No.71), however, he admits that he used to take part occasionally in the games conducted by the R.S.S., as a means of recreation up to the middle of 1946. As this activity of his was of a harmless nature, and prior to the date on which the R.S.S. was declared as an unlawful political body and its activities banned by -- Government, the Committee considers that this has nothing to do with the alleged charges against him.

D. CONCLUSION :

20. For the reasons stated in para (19), the Committee unanimously came to the conclusion that there was no -- sufficient proof to show that Mr. Kabe was taking part in the R.S.S. activities as alleged by the Police, and as such, he does not render himself liable to disciplinary action. It is , however, recommended that he may be kept under -- watch for some period after he is reinstated in service.

1948

President, Enquiry Committee,
Executive Engineer,
Irrigation Projects Dn.(South),
Dharwar.

Members of the Enquiry Committee.

11/8/49

1. Deputy Engineer,
Malaprabha Sub-Division.

11/8/49

2. Deputy Engineer,
Reconnaissance I.P.Sub-Dn.

GEK/-
Compd:

Confidential
No. G-43

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 6th Oct. 1949.

To

The Secretary to Government,
Public Works Department,
Bombay.

Subject: Detention of Mr. S.K.Kabe, S.A.C.

Reference: This office letter No.G-43 dated 22-9-1949

2. A copy of the Report of the Departmental Enquiry Committee constituted to enquire into the alleged connection of Mr. S.K.Kabe, clerk of this Circle, with R.S.S.S. activities, is submitted herewith for perusal of Government. A copy of the reply, to this office letter mentioned above, from the Dist. Superintendent of Police, Belgaum received under his No.B/14/2/RSSS/1214 dated 25-9-1949 is also enclosed herewith.

3. The Committee is of the opinion that in the absence of concrete evidence from the Police, there is no sufficien proof to show that Mr. Kabe was taking part in R.S.S.S. activities as alleged by the Police and hence recommends that Mr. Kabe may be reinstated in service and a watch kept on his behaviour for some period. I agree with the findings of the Committee and see no objection to reinstate

Mr.Kabe.....

Mr. Kabe in this Department.

4. Government may therefore please be moved to issue orders in the matter.

D.A: 1 Report
1 letter.

Superintending Engineer, K.I.C.

P. W. D.
File 30/48 IV
S. 65-659

E3 (II)
8/1/49

CONFIDENTIAL. Belgaum,22nd August 1948.

Subject:- Illegal activities of the R.S.S.at Belgaum,Shahapur,Wadgaon and Angol.

Submitted.

The Rashtriya Swayamsewak Sangh came to be banned by Government under their No.S.D.356/ 4-2-48 published in Extra ordinary Government Gazette Part I - page 611 A, consequent on the assassination of Mahatma Gandhi. The public wrath against this organisation, manifested itself in the form of riots, looting and arson. This public wrath coupled with the Gove nment ban stopped the R.S.S.activities for a while. After about a month the R.S.S.organisers and boys started meeting secretly at the residences of some of its workers. Subsequently they started collecting in the open grounds as before under the pretext of games etc. The organisation was never dissolved. The old members continued their clandestine activities to avoid the legal implications of their conduct.

Information on hand goes to show that Mr.Jaganatharao Joshi, the R.S.S. organiser for Belgaum District, after evading arrest in February last, continued his activities by going underground and he addressed several secret meetings of the R.S.S.workers. About a month and half back Mr.Yadavrao Joshi, the R.S.S.organiser for Karnatak paid a visit to Belgaum and address the R.S.S.volunteers and workers secretly at Belgaum, Shahapur,Wadgaon and Anigol.

There is evidence to show that the R.S.S. workers used to meet at the Gumutmal Maruti temple near Wadgaon where they recited their R.S.S.prarthana. To quote a concrete case of their activities a meeting was held on the night of 18th/ 19th August, when the following important R.S.S.organisers were present.

1. Mr.N.G.Deshpande, Melge, Galli, Shahapur.
2. Mr. S.K.Kabbe, now working in the P.W.D.office Dharwar.
3. Mr. S.V.Kamat, Bichu Galli, Shahapur.
4. Mr.K.R.Naik, Bichu Galli, Shahapur.
5. Mr. Nagesh Vishnu Kakatikar, Bichu galli, Shahapur.
6. Mr.R.G.Tilve, — do —
7. Mr.Mahadev Balappa Kanbargi,Collector's office Belgaum.
8. Mr.G.K.Sathe, Kadolkar Galli,Belgaum.
9. Mr.S.N.Kakade,Narvekar, Galli,Shahapur.
10. Mr.Hari Sohani,Mirapur Galli, Shahapur.
11. Mr.Divakar Joshi, Shahapur.
12. Mr.Anant Mahadev Mungale, Gondhali galli,Belgaum.
13. Mr.Mayannache of Belgaum.
14. Mr.Appa Mutgekar of Wadgaon.
15. Mr.Bandu Kulkarni of Wadgaon.
16. Mr.Pandu Suryawamshi(Teacher in Chintamanrao High School) of Wadgaon.
17. Mr.Narba Patil of Wadgaon.

This meeting was held in connection with the collection of Guru Daxana(the collection of fund for the R.S.S.activities). The practice of the R.S.S.at such observances previously was to announce the contributions to be made by various Shakhas by the Shakha "Adhikaris" and collect the amounts likewise, which used to be handed over to the Sarwadhikari of the Province. Likewise on the night referred to above the Shaka Adhikaris announced at the meeting the collection to be made and requested the Shakha members to contribute. After Rs.6000/-were collected in this manner by the Shakhas of Belgaum,Shahapur, Wadgaon and Anigol and handed over to Mr.G.V.Jigajinni, the R.S.S.Chief for Karnatak. The meeting in question was held at the residence of Mr.S.V.Kamat in Bichu galli,Shahapur. On the morning of August 19th, the R.S.S. observance of "Raksha Bandhana" was gone through by the

members. It was a common sight that these "Rakhis" were noticed tied by every member of the R.S.S.on August 19th.

The evidence on record goes to show clearly that the below mentioned active organisors of the R.S.S.were going place to place to meet the old members to induce them to keep up the morale of te organisation and also to celebrate the R.S.S.functions though under a comonflage.

The statement of Messrs. P.D.Joshi, C.G.Herekar and K.C.Ambewadi attached hereto bear testimoney to the circumstances mentioned above.

It is therefore requested that the below mentioned active organisers of the R.S.S. be detained under section 2(1A) of the Bombay Public Security Measures Act xxx for continuing to be members of the R.S.S. and also conducting activities in furtherence of the said organisation at Belgaum, Shahapur, Wadgaon and Angol contrary to the provisions of the Government order declaring the R.S.S. as an unlawful body.

1. Mr.Virupaxappa Gurushidappa Jigajinni, Pleader, Korigalli,Shahapur.
2. Mr.Sadanand Neelakantha Kakade, Narwekar galli, Shahapur.
3. Mr.Shankar Krishna Kabbe, P.W.D.office, Dharwar.
4. Mr.Shridhar Vishnupanta Kamat, Bichu Galli,Shahapur.
5. Mr.Mahadev Balappa Kanbargi,Collector's office, Belgaum. Hattiholi Galli,Shahapur.
6. Mr.Ram Jivaji Sadhale, Mirapur Galli, Shahapur.
7. Mr.Nagesha Kishnu Kagatikar, Bichu Galli,Shahapur.
8. Mr.Anant Madhav Mungale, Gondhali Galli,Belgaum.
9. Mr.Gajanan Keshava Sathe, Kadolkar Galli,Belgaum.
10. Mr.Pandu Devappa Survayavshi,Kurbar Galli,Wadgaon.
11. Mr.Appa Sheteppa Mutgekar, Sonar Galli,Wadgaon.
12. Mr.Bandu Krishnaji Kulkarni,Sonar Galli,Wadgaon.
13. Mr.Murgendra Virupaxa Hiremath,Cheap Grain Shop,Gokak,
14. Mr.Keshava Ramanna Naik,Bichu Galli,Shahapur.
15. Mr.Jaganatharao Joshi,Organiser Belgaum District R.S.S.Shahapur.
16. Mr.Gundu Keshava Kulkarni alias Ruikar,Bichu Galli, Shahapur.

Sd/- B.H.Jainapur,
Deputy Supdt.of Police,Security,
C.I.D.,Belgaum.

Copy with compliments to the District Magistrate, Belgaum.

Through the District Superintendent of Police, Belgaum, with compliments.

Confidential.
No.G-43.

Office of the Superintending Engineer,
Karnatak Irrigation Circle.
Dharwar: 5th December 1949.

To

The Secretary to Government,
Public Works Department,
Bombay.

Subject: Detention of Mr.S.K.Kabe, Senior Accounts Clerk.

Reference: This office letter No.G-43, dated the 6th October 1949.

2. Government may please be moved to issue early orders on this office letter mentioned above.

Superintending Engineer,
Karnatak Irrigation Circle.

D.A.: Nil.

P. W. D.
File No. 30/48 IV
Serial No. 83339

E3 (II)
8/12/47

~~225~~ 30/48/83339.

EB(II). P.W.D.

Submitted.

2. The main file has been referred

The H.D has been U.O. to the H.D. since the 14th Oct. 49

expedited under No. 30/48-IV, That Deptt. has since been expedited

-E(II), dt 18th Dec. 49 for return of the file

Orders

Issued

10/12/49

(UKB)

19.12.49.

Await.

Hmm 14/12

D.J

Cen Writer

Letter. 2/1 30/48/7297

Confidential

No. 30/48-IV-E(II). P. W. D.,
B.C. (B'bay No. 1), 2nd Feby. 1950.

To

The S.E., K.J.C.

Sub:- Reinstatement of Mr. S.K. Kabe, Snr Accounts Clerk, and payment of full pay and allowances while under suspension.

Ref/ce: Corres. resting with your letter No. C-43, dt. the 5-12-1949.

2. Your proposal to reinstate Mr S.K. Kabe, Snr. Accounts Clerk, is approved.

3. Mr. Kabe should be paid full pay and allowances during the period of his suspension. The amount of subsistence allowance already granted to Mr. Kabe should, however, be recovered in full.

D.A.-Nil.

By order of the G. of B.,

Copy forwarded to -
The P.E.S.D.,
The H.D.,
The F.D.,
The A.G., B'bay (Thro' the F.D.),
The C.E., P.W.D.,

For information.

Issued
2/2/50.
P&S; Home & Finance

1-2-50
S.

4/1/50

E.S.

(Signature)
2/2

Confidential.
No. G. 43.

Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, 1st ~~January~~ February 1950.

To,

The Secretary to Government,
Public Works Department, Bombay.

Subject :- Detention of Mr. S.K.Kabe, clerk.

Reference : This office letters No. G. 43 dated the 6th October 1949 and 5th December 1949.

2. Government may please be moved to issue early orders on the subject noted above.

Being issued Shortly

D.A.: Nil.

Superintending Engineer,
Karnatak Irrigation Circle.

31

Confidential.
No. G-43.

Karnatak Irrigation Circle,
Dharwar, 5th June 1952.

To

The Chief Engineer to Government,
Public Works Department, Bombay.
Bombay No: 1

Subject:- Reinstatement of Shri. S.K.Kabe, Senior Clerk and payment of full pay and allowances.

P.27

Reference:- Government letter, P.W.D., No.30/48-IV-E(II), dated 2-2-1950.

2. According to the orders contained in the above Government letter, Shri. S.K.Kabe was paid full pay and allowances during the period of his suspension. It is, therefore, presumed that the period of suspension counts as duty for purpose of leave, pension etc., under rule 152 read with rule 243 of B.C.S. Rules, Volume I.

10/6/52

5/6

Superintending Engineer, K.I.C.

5.6.

32

P. W. D.
File No. 30/48
Serial No. 55100

Camp C
F D
20/6/1

33 Letter. 30/48/164606

Confidential.
No. 30/48-V-F.

P. N. D.,
B.C. (3'Bay No. 1),
12th July 1952.

To

The S.E., Karnatak P.C.

Subject:- Reinstatement of Shri S.K. Kabe Snr. Clerk, and payment of full pay and allowances.

Refce: Your Letter No. C-43, dt. the 5-6-1952. P.31

2. The presumption made by you that as Shri S.K. Kabe, Snr. Clerk, has been paid full pay and allowances during the period of suspension, this period is to be treated as duty for purpose

purposes of leave, pension, etc., under rule 152(a) read with rule 243 of the B.C.S. Rs., Vol. I, is correct.

By order of the G. of B.,

Asstt. Secy. to the Govt. of B'bay,
P.W.D.

D.A.-Nil.

Copy forwarded to -
The F.D.,
The P. & S.D.,
The C.E., P.W.D.,
The A.G., B'bay (Thro: The F.D.),

for information.

11/7/52.

35

Letter.

Confidential.

No. 30/48-V-F

Public Works Department,
Bombay Castle (Bombay No.1),
12th July 1952.

To

The Superintending Engineer,
Karnatak Irrigation Circle.

Subject:- Reinstatement of Shri S.K.Kabe, Senior Clerk, and payment of full pay and allowances.

Reference: Your letter No. C-43, dated the 5th June 1952.

2. The presumption made by you that as Shri S. K. Kabe, Senior Clerk, has been paid full pay and allowances during the period of suspension, this period is to be treated as duty for purposes of leave, pension, etc., under rule 152(a) read with rule 243 of the Bombay Civil Service Rules, Volume I, is correct.

By order of the Governor of Bombay,

14/7/52

Assistant Secretary to the Government of Bombay,
Public Works Department.

P.A.-Nil.

Copy forwarded to -

the Finance Department,

the Political and Services Department,

the Chief Engineer, Public Works Department,

the Accountant General, Bombay (through the Finance Department),

for information.

BVK.
12.7.52.

14/7/52

1) Order issued after consultation with Finance & Poll. & Services Department. Notes exchanged with this Department and can be seen when required.